ZONING COMMISSIONER

OF BALLTIMORE COUNTY

Eth Councilmanic District Case No. 88-473-A

Thomas Stanley Dorn, et ux Petitioners

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MEMORANDUM AND ORDER

The Petitioners herein request variances to permit a lot width of 50 feet in lieu of the required 55 feet for Lot #17, and a side yard setback of 5 feet in lieu of the required 10 feet for Lot #18, as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Thomas Dorn, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore should be granted. There is no evidence in the record that the subject variances would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this Buday of May, 1988 that the Petition for Zoning Variance to permit a lot width of 50 feet in lieu of the required 55 feet for Lot #17 and a side yard setback of 5 feet in lieu of the required 10 feet for Lot #18, in accordance

with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> Zoning Commissioner of Baltimore County

JRH:bjs

+32

Zoning Description

Beginning on the Northeast side of Upperlanding Road as laid out on the plat of Back River Highlands said plat being duly recorded among the land records of Baltimore County, in Plat Book W.P.C. No. 4 Folio 64, at the distance of six hundred (600) feet Northwesterly from the Northwest corner of Upperlanding Road and Mace avenue said point of beginning being at the division line between Lots 16 and 17. Section "A", Backriver Highlands and running thence binding on the Northeast side of Upper Landing Road as now located fifty (50) feet wide north 26 degrees 00 minutes west fifty (50) feet to the division line between lots 17 and 18 on plat above referred to thence running and binding on said division lineNorth 28 degrees 00 minutes East 227.61 feet to the Northern outline of the whole tract of land which the lot now being described is part thence running and binding on said outline Souther degreesOmminutes East fifty (50) feet to the division line between Lots 16 and 17, above referred to and thence running and binding on said division line south 28 degrees 00 minutes West 226.50 feet to the place of beginning. The improvements thereon being known as No. 348 Upper Landing Road in the 15 th election district.

> 88-473-1 CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towers, Maryland	
District 1574 Posted for: Variance	Date of Posting 4/18/85
Petitioner: The Comes Stayley Doz	Y o t . y
Location of property: NF/S upper Law	ding Rd. 1000' SE Locat Rd
3118 uppor to	dina Rdi
Location of Signe 1811-9 4 Per 100 d	184 Kd 202020 70' Fr
moduly, an Anderly of	Chlein
Remarks:	
Posted by Marie ly	Date of return: 1/27/39

The Zoning Commisson one of Sal-timore County, by authority of the Zoning Act and Regulations of fath-more County will hold a public hearing on the property identified hervin in Roam 105 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows: Petition for Zoning Variance
Core number: 88-673-A
NES Upper Landing Road (000'
SE of Locust Road (360 Lpper
Landing Road)
15th Election District
Sth Councilmant Poetrict
Petitioner(s): Thomas Stanley
Dom at the Protioner(s): Thomas Stanley |
Dorn, et sur.
Plearing Date: Priday, May 6,
1980 et 2:00 p.m.
Versance to allow a buildable fill
tridth of 90 feet in lieu of the required 55 feet for Lot#17 and to alflow a node yard serback at 5 feet in
freu of the required 10 feet dor
Lot#18. Loc#18. In the event that this Pritton is granted, a building permit may be soured within the tharty (30) day appeal period. The Zoning Communicationer will, however, entertain any request for a stay of the insuance at each permit during this period are good cause shown. Such request must be an writing and received in this office by the date of the houring set above or presented at the houring.

"DUPLICATE" CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on april 14, 19.88

> THE JEFFERSONIAN. Gusan Sender Obrecht

⁹ 37.50

Variance from Section 1.8.0.2.3.C.1 To allow a buildable lot width of 50 feet in lieu of the required 55 feet for Lot #17. and To allow a side yard setback of 5 feet in lieu of the required 10 feet for Lot #18. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1) Only lot available in area where we are interested in buying. 2) The majority of all lots in Back River Highlands are 50 feet wide. 3) The proposed improvethis lot will conform to the neighboring houses on 50 foot 1et and advertised as prescribed by Zoning Regulations. ses of above Variance advertising, posting, etc., upon filing of this are to be bound by the roning regulations and restrictions of it to the Zoning Law For Baltimore County, which is the subject of this Petition. Legal Owner(s):

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property ATTERNS STONEY DOEN 48 Trea Ans Doga Jan Chan House N- 6,925 Name, address and phone number of legal owner, contract purchaser or representative to be contacted City and State Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this ______day Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore

ESTIMATED LENGTH OF HEARING (-1/2HR.)

AVAILABLE FOR HEARITS MON./TUES./WED. - NEXT TWO MONTHS REVIEWED BY:

PUBLICATION

9

CERTIFICATE

THIS IS TO

venue Inc

The

Baitimore County Zoning Commissioner
Office of Planning & Zoning Townon, Maryland 21204 494-3353

J. Robert Haines

Date: 4-26.88

At. Jack W. Kinceld 150 Riverside Road Baltimore, Maryland 21221

Res Petition for Zaming Variance

Case Numbers 64-473-4

MES Upper Landing Road, 1050° SE of Locust Road

(348 Upper Landing Road) 15th Election District - 5th Councilmanic District Patitioner(s): Thomas Stanley Dorn, at ux MEARING SCHEDULED. FRIDAY, MAY 8, 1988 at 2100 p.m.

Deer Mr. Kincaid:

Please be advised that \(\frac{98.70}{100} \) is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

Your hearing is scheduled to begin. BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION for each set not MARCELLANEOUS CASH RECEIPT unes sioner of 16/58/caren VALIDATION OR SIGNATURE OF CASHIER

> Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 194-3353

J. Robert Haines
Zorung (Immunument

NOTICE OF HEARING

Dennis F. Rasmussen

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson. Maryland as follows:

Putition for Zoning Verience Come Numbers 80-473-4 MES Upper Landing Read, 1090' SE of Locust Read (348 Upper Landing Read) 15th Election District - 5th Courcilmords District Potitionor(e): Themse Stanley Doom, et un HEARING SOCCULED: FRIDAY, MAY 6, 1808 of 2000 p.m.

Verience to allow a buildeale lot width of ED foot in lies of the required 95 foot for Lot \$17 and to allow a mide yard setteck of & feet in lieu of the required 10 foot for Lot /15.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

Trumos StanLay Deen, ot us Reymond J. Flater Jack W. Kinosid

PETITIONER(S) EXHIBIT (2)



PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-473-1 The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

and post set(s), there

SAVANNAH RD STUWMER RD VICINITY MAP LOT | di son 5' 10 28' 12' 10' EXIST. EXIST. #350 #346 N2°-00W 150 PLAT RECORDED IN BOOK 4 Locust Rd. FOLIO 64 BACK RIVER HIGHLANDS PLOT PLAN Public Utilities exist PLAT FOR ZONING VARIANCE UWNER-THOMAS+TARA DORN DISTRICT-15, ZONEO DR. 5.5 in Upper Landing Rd. UPPER LANDING 1"=30' 2-88 ff

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your petition has been received and accepted for filing this day of Merch , 1988 Petitioner Thomas S. Dorn, et ux Chairman, Zoning Plans
Advisory Committee Petitioner's



Mr. J. Robert Haines Zoning Commissioner III West Chesapeake Avenue Towson, MD 21204

Dear Mr. Haines,

Please accept this letter of request for and "Early Hearing" on a residential zoning variance for the property known as 348 Upper Landing Road, Baltimore, MD 21221. The described property has been labeled by your office as Item # 321 and the appropriate filing fee has been paid. It is imparative that we receive an early hearing date to fullfill our financial obligations on the project and committments.

Considerately yours, < 1214 10. Himain Aack W. Kincaid



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 27, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Haryland 21204

Mr. Thomas Stanley Dorn, et ux 5624 Daybreak Terrace Baltimore, Maryland 21234

Bureau of Department of Traffic Engineering State Roads Commission

Bureau of

Industrial Development

Dear Mr. & Mrs. Dorn:

Fire Prevention Health Department Project Planning Building Department Board of Education Zoning Administration

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

RE: Item No. 321 - Case No. 88-473-A

Petition for Zoning Variance

Petitioner: Thomas Stanley Dorn, et ux

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled acccordingly.

Very truly yours,

Janes & Sylde JAMES E. DYER Chairman

Zoning Plans Advisory Committee

JED:dt Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines

TO Zoning Commissioner April 13, 1988 P. David Fields

FROM Director of Planning and Zoning

Zoning Petition Nos. 88-465-SpHA,

88-466-SpH, 88-468-SpHXA, 88-470-A,

SUBJECT 88-472-A, 88-473-A, 88-475-A, 88-476-A

There are no comprehensive planning factors requiring comment on this

P. Pavid Fields por Ithousell

PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel

APR 13 1985

ZONING OFFICE

cc: Jack W. Kincaid

Baltimure County Fire Department Towson, Maryland 21204-2586 494-4500

Paul H. Reincke

March 11, 1988

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



Re: Property Owner: Thomas Stanley Dorn, et ux Fisher-Kincapennie F. Rasmussen Contract Purchaser
Location: NE/S Upperlanding Rd., 1050' SE of Locust Rd.

Zoning Agenda: Meeting of 3/15/88

Item No.: 321

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at ____

EXCEEDS the maximum allowed by the Fire Department. () 4. The site shall be made to comply with all applicable parts of the

Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: CALT. 1 Welly 7-11-88 Approved:

Planying Group

Special Inspection Division

Noted and

Fire Prevention Bureau

May 13, 1988

Hr. & Hrs. Thomas Stanley Dorn 5624 Daybreak Terrace Paltimore, Haryland 21234

RE: Petition for Zoning Variance RE/S Upper Landing Road, 1050' SE of Locust Road (38 Upper Landing Road) 15th Election District, 5th Councilmanic District Case No. 88-473-A

Dear Hr. & Hrs. Dorns

Enclosed please find the decision rendered as the above-referenced case. The Petition for Zoning Variance has been Granted subject to the restriction noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Policit Hair J. ROBERT HAIRES ioning Commissioner of Bultimore County

JRHIDJa Enclosures

cc: Mr. Raymond J. Fisher, Contract Purchaser 1822 Ridge Road, Reisterstown, Md. 21136 Mr. Jack W. Kincaid, Contract Purchaser 150 Riverside Road, Baltimore, Md. 21221

People's Counsel

File